



# HOUSE OF REPRESENTATIVES

## HB 2705

human services; budget reconciliation; 2016-2017.

Prime Sponsor: Representative Montenegro, LD 13

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**X** Committee on Appropriations

Caucus and COW

House Engrossed

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### **OVERVIEW**

HB 2705 makes statutory and session law changes relating to human services in order to reconcile the Fiscal Year (FY) 2017 state budget. The affected entities are the Department of Economic Security (DES), the Department of Child Safety (DCS), the Office of the Auditor General (OAG) and the Arizona Early Childhood Development and Health Board.

### **PROVISIONS**

#### ***The Department of Economic Security (DES)***

1. Requires DES to submit an annual update to the Joint Legislative Budget Committee (JLBC) on DES' plans for the Arizona Training Program and associated group homes, beginning November 1, 2016.
2. Requires the annual update to include:
  - a. A potential time table for the closure of any facilities;
  - b. A timeline for the completion of the transition of the residents in those facilities to new residential settings; and
  - c. The expected fiscal impact, which must include an estimate of the costs necessary to:
    - i. Maintain existing service levels for transitioning individuals;
    - ii. Build capacity in the community to support transitioning individuals;
    - iii. Provide enhanced and independent monitoring and oversight of each new placement; and
    - iv. Provide protection and advocacy services and medical and behavioral health care support for transitioning individuals.
3. Requires DES to send a written notice to each affected individual and the individual's legal guardian of DES' intention to develop a person-centered service plan for each affected individual to identify potential residential setting and in-home service options that are based on each person's needs and personal choices before DES submits their initial update.
4. Stipulates that DES must conduct meetings with all affected persons and their legal guardians regarding the transition process and provide each person and guardian with a list of potential residential settings and in-home service options.
5. Mandates that final decisions regarding residential settings and services must be based on person-centered plans, individual assessed needs and individual preferences.
6. Permits DES to reduce maximum income eligibility levels for child care assistance in order to manage within appropriated and available monies for FY 2017.

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7. Requires DES to notify JLBC within 15 days of implementing any change in maximum income eligibility levels for child care assistance.
8. Requires DES, in FY 2017, to screen and test each adult recipient who is otherwise eligible for temporary assistance to needy families (TANF) cash benefits and who DES has reasonable cause to believe engages in the illegal use of controlled substances.
9. Prohibits any recipient who tested positive for the use of a controlled substance that was not prescribed for the recipient by a licensed health care provider from being eligible to receive benefits for one year.

### ***The Department of Child Safety (DCS)***

10. Prohibits DES and DCS from spending any federal TANF Block Grant monies in excess of \$218,728,100 in FY 2016, unless they receive a supplemental appropriation of the Block Grant monies in FY 2016.
  - a. Stipulates that the state General Fund (GF) appropriations for DES and DCS are not reduced in relation to any federal TANF Block Grant monies received in excess of \$218,728,100 in FY 2016.
  - b. Applies retroactive to July 1, 2016.
11. Continues the requirement that DCS establish a mechanism to direct complaints to the Office of the Ombudsman-Citizens Aide until June 30, 2018.
  - a. Applies retroactive to July 1, 2016.
12. Permits DCS to use \$3,800,000 of the monies appropriated to DCS from the state lottery fund in FY 2016 for in-home preventative support services.
  - a. Applies retroactive to July 1, 2016.
13. Requires DCS to:
  - a. Review the implementation of foster home licensing rules, guidelines and checklists;
  - b. Review the cases in which foster home licenses were denied;
  - c. Hold public meetings to solicit input from foster families on the implementation of new foster home licensing rules, guidelines and checklists; and
  - d. Identify any modifications required in new foster home licensing rules, guidelines and checklists.
    - i. DCS is required to submit a report of its findings to the Legislature by December 31, 2016.

### ***The Department of Child Safety (DCS) and The Arizona Early Childhood Development and Health Board (Board)***

14. Requires DCS and the Board to jointly report to JLBC on their collaborative efforts to address child welfare issues of common concern.
  - a. Requires the report to:
    - i. Include information about the level of coordination between DCS, the Board, and community groups to promote the well-being of children and families that are identified in reports of abuse or neglect; and
    - ii. Be submitted by February 1, 2017.

### ***The Office of the Auditor General (OAG)***

15. Requires OAG to provide reports concerning DCS to the Governor, Legislature and Directors of JLBC and the Governor's Office of Strategic Planning and Budgeting.
16. Requires the reports to address DCS':
  - a. Administrative staffing level, which must:
    - i. Assess the reasonability of the current administrative staffing level and its staffing level compared to other state agencies and best practices;
    - ii. Address DCS' staffing analysis process; and
    - iii. Be submitted by February 1, 2017.
  - b. Recruiting, training, retention, and use of staff, which must:
    - i. Review recruiting, training, retention and use of staff who are critical to the mission of child safety, including caseworkers, supervisors, case aids, assistance program managers and the Office of Child Welfare Investigations staff, as compared to other states and best practices;
    - ii. Determine the availability of services and the use of supportive practices, such as reflective supervision, peer review and mental health support for caseworkers; and
    - iii. Be submitted by September 30, 2017.
  - c. Substance abuse treatment program, Arizona Families in Recovery Succeeding Together (Families F.I.R.S.T.), which must:
    - i. Evaluate the program by comparing it to other states' practices and best practices and recommending improvements;
    - ii. Include a component to address other state's use of adult substance abuse treatment intervention programs listed by the California evidence-based clearinghouse for child welfare;
    - iii. Examine the roles of recovery coaches, halfway houses, transportation, counseling, drug testing, housing assistance and other services in the program;
    - iv. Examine the prevalence of waiting lists or other barriers to substance abuse treatment for parents whose children are in out-of-home care or receiving in-home preventive support services; and
    - v. Be submitted by March 31, 2018.
17. Makes technical and conforming changes.